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TO: Group Art Unit 3738
Examiner Thomas Sweet

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FROM: Richard J. Godlewski

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In Re Application of: Bates et al. Customer No.: 9896

Atty. Docket No.: PA-5335-RFB

Serial No.: 10/618,977

Group Art Unit: 3738

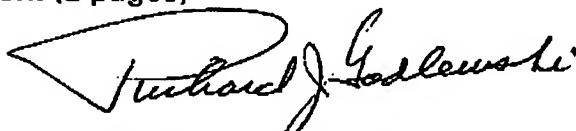
Filed: July 14, 2003

Examiner: Thomas Sweet

Title: COATED MEDICAL DEVICE

Please enter and make of record the enclosed amendment to application Serial No. 10/618,977. The following documents are enclosed with this transmission:

Transmittal of Information Disclosure Statement Before Mailing Date of Final Action (3 pages)
Information Disclosure Statement (2 pages)
Form 1449/PTO (4 pages)



Richard J. Godlewski
Registration No. 30,056
(812) 330-1824

Attorney's Docket No. PA-5335-RFB

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bates et al.

Customer No.: 9896

Serial No: 10/618,977

Group No.: 3738

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Commissioner for Patents
Alexandria, VA 22313

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE
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NOTE: "An information disclosure statement shall be considered by the Office if filed ... before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in § 1.17(p)." 37 CFR 1.97(c).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

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Signature
Pamm Garwood
(Type or print name of person certifying)

(Transmittal of Information Disclosure Statement before Mailing Date of Either A Final Action Or Notice of Allowance [6-4] -- Page 1 of 3)

NOTE: "If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [if] the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

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1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

- (1) a final action under § 1.113 or
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CERTIFICATION OR FEE

2. Accompanying this transmittal is:

(check either A or B below)

- A. a certification as specified in 37 CFR 1.97(e)

OR

- B. the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

FEE PAYMENT

(Complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00)

Fee due \$ 180.00

*(Transmittal of Information Disclosure Statement before Mailing Date of
Either A Final Action Or Notice of Allowance [6-4] -- Page 2 of 3)*

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Charge Account No. 13-2528 in the amount of \$180.00
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RICHARD J. GODLEWSKI

SIGNATURE OF ATTORNEY

Richard J. Godlewski
(Type or print name of attorney)

P.O. Box 2269
(P.O. Address)

Bloomington, IN 47402

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Bates et al.

Appln. No.: 10/618,977

Filed: July 14, 2003

For: COATED MEDICAL DEVICE

Attorney Docket No: PA-5335-RFB

Examiner: Thomas Sweet

Art Unit: 3738

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, Applicant hereby cites the reference(s) listed on the enclosed Form PTO 1449. A copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2) is also enclosed. Applicant respectfully requests the Examiner's consideration of the reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Pursuant to 37 CFR § 1.97(c), this Information Disclosure Statement is being filed before the mailing date of a final action under 37 CFR § 1.113, a notice of

-1-

10/25/2006 TL0111 00000033 132528 10618977
01 FC:1806 180.00 DA

Appn. No. 10/832,183

Filing Date: April 26, 2004

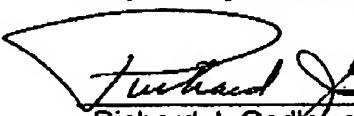
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Pursuant to 37 CFR § 1.97(c), this Information Disclosure Statement is being CENTRAL FAX CENTER filed before the mailing date of a final action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311, or an action that otherwise closed prosecution in the application, and the Commissioner is authorized to deduct \$180.00 for the fee under 37 CFR § 1.17(p) from Deposit Account No. 13-2528.

OCT 24 2006

Respectfully submitted,

Oct. 24, 2006
Date


Richard J. Godlewski
Reg. No. 30,056

-2-

Please type a plus sign (+) inside this box → +PTO/SB/08A (08-00)
Approved for use through 10/31/2002, OMB 0651-0031

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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Complete If Known | |
| Sheet | 1 | of | 5 |
| | | Attorney Docket Number | PA-5335-RFB (8627/742) |

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U.S. PATENT DOCUMENTS

| Examiner Initials* | Cita No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| | | Number | Kind Code ² (if known) | | | |
| 1 | 4,101,984 | | | MacGregor | 07/25/1978 | |
| 2 | 4,305,926 | | | Everse et al. | 12/15/1981 | |
| 3 | 4,343,788 | | | Mustacich et al. | 08/10/1982 | |
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| EXAMINER SIGNATURE | | DATE CONSIDERED |
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| Substitute for form 1449A/PTO | | <i>Complete If Known</i> | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Application Number | 10/618,977 |
| (use as many sheets as necessary) | | Filing Date | July 14, 2003 |
| Sheet 2 | of 5 | First Named Inventor | Brian Bates, et al. |
| | | Group Art Unit | 3738 |
| | | Examiner Name | Thomas Sweet |
| | | Attorney Docket Number | PA-5335-RFB (8627/742) |

U.S. PATENT DOCUMENTS

| Examiner Initials ¹ | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| | | Number | Kind Code ² (if known) | | | |
| | 27 | 5,108,424 | | Hoffman, Jr. et al. | 04/28/1992 | |
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EXAMINER SIGNATURE**DATE CONSIDERED**

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| Sheet | 3 | of | 5 |
| | | Application Number | 10/618,977 |
| | | Filing Date | July 14, 2003 |
| | | First Named Inventor | Brian Bates, et al. |
| | | Group Art Unit | 3738 |
| | | Examiner Name | Thomas Sweet |
| | | Attorney Docket Number | PA-5335-RFB (8627/742) |

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|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Application Number | 10/618,977 |
| (use as many sheets as necessary) | | Filing Date | July 14, 2003 |
| Sheet | 4 | First Named Inventor | Brian Bates, et al. |
| of 5 | | Group Art Unit | 3738 |
| | | Examiner Name | Thomas Sweet |
| | | Attorney Docket Number | PA-5335-RFB (8627742) |

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|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| | | Number | Kind Code ² (if known) | | | |
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FOREIGN PATENT DOCUMENTS

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